

July 6, 2020

Kent Hoover
MuckRock News
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VIA E-MAIL

Dear Mr. Hoover:

On June 9, 2020, the Tennessee Department of Safety & Homeland Security received your Public Records Act request for the following documents:

All records, documents, emails, and other correspondence regarding or related to the 2018 model 429 Bell helicopter textron canada helicopter as well as any additional equipment attached to the aircraft. This aircraft has serial number 57335 and holds registration N780HP. This aircraft uses the mode-s code of AA9143 in hexadecimal. I request records, documents, emails, privacy assessments, purchase orders, maintenance records, and other correspondence relating to the equipment.

Additionally, I would like any manuals, procedures, communications protocols, and any communications related to inter-agency coordination. This should include pilot logs, flight plans, and surveillance plans. Specifically, I am looking for any and all data relating to flights over and near the city of Nashville, Tennessee. The data for the last week with a focus on the months of May and June 2020 where the aircraft was documented flying in circles over demonstrations at an altitude of 3,925 feet. Any imaging or other surveillance data from onboard collection is additionally requested, as well as any policies which govern the collection, processing, use, and dissemination of this data. Any communication about this data or related data should be included, especially inter-agency communications, and metadata.

Subsequently, on June 18, 2020, this Office requested proof of Tennessee citizenship, which you provided on June 24, 2020. Tennessee Code Annotated § 10-7-503(a) provides the following:

- (2)(B) The custodian of a public record or the custodian's designee shall promptly make available for inspection any public record not specifically exempt from disclosure. In the event it is not practicable for the record to be promptly available for inspection, the custodian shall within seven (7) business days:
- (i) Make such information available to the requestor;
 - (ii) Deny the request in writing or by completing a records request response form developed by the office of open records counsel. The response shall include the basis for the denial; or

(iii) Furnish the requestor a completed records request response form developed by the office of open records counsel stating the time reasonably necessary to produce such record or information. [emphasis added]

This Office is currently in the process of retrieving and reviewing the requested documents. Due to the voluminous nature of your request, it is anticipated that costs associated with your request could be at a minimum around \$1,000.00 for video footage alone. It is likely that this Department has physical documents (copies of contracts, correspondence, etc.) that could result in a similar amount of costs for those documents. Fees and charges for copies shall be based on the most current version of the Schedule of Reasonable Charges, issued by the Office of Open Records Counsel, available at <http://www.comptroller.tn.gov/openrecords/forms.asp>. In the event that you wish to narrow your request in the interest of time and cost, please contact me. This Office will not begin processing your request until we receive a response following this letter.

If you have any questions, please feel free to contact me.

Sincerely,

Patrick Morrison

Patrick Morrison
Associate Counsel